
Appeal Decision

Site visit made on 29 November 2019

by Paul Griffiths BSc(Hons) BArch IHBC

an Inspector appointed by the Secretary of State

Decision date: 23 December 2019

Appeal Ref: APP/L5810/W/19/3231871

St Catherine's School, Cross Deep, Twickenham TW1 4QJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Ian Stewart of St Catherine's School against the decision of the Council of the London Borough of Richmond-upon-Thames.
 - The application Ref.18/3784/FUL, dated 15 November 2018, was refused by notice dated 20 March 2019.
 - The development proposed is the provision of a new polymeric playing surface to replace the existing grass surfaced playing field.
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Decision

1. The appeal is dismissed.

Main Issues

2. The existing playing field to the rear of the St Catherine's School buildings, proposed for resurfacing, lies within the confines of Pope's Garden, which is listed Grade II on the Register of Historic Parks and Gardens of Special Historic Interest in England¹.
3. Pope's Grotto which connects the two parts of what was the garden, either side of Cross Deep, is a Grade II* listed building, and Stanhope's Cave, a second tunnel that lies in the north-west corner of what was the garden, running under Radnor Road, is listed Grade II. The RPG and these listed buildings lie within the Twickenham Riverside Conservation Area².
4. Against that background, the main issue to be considered is the effect of the proposal on the significance of these designated heritage assets.

Reasons

5. The RPG designation covers an early C18 garden that was made by the poet Alexander Pope. The list entry makes plain that the garden survives only as part of the archaeological record. That said, the grass of the playing field, and the trees around it, act as a natural and visual echo of the garden and contribute positively, thereby, to its significance.
6. The replacement of the grass with an artificial surface, along with the removal of some trees, would destroy that echo and cause harm, as a result, to the significance of the RPG.

¹ Referred to hereafter as the RPG

² Referred to hereafter as the CA

7. Pope's Grotto and Stanhope's Cave derive a good part of their significance from their relationship with the RPG. A diminution in the significance of the RPG would have a detrimental impact on the setting, and thereby the significance, of these listed buildings.
8. Moreover, the RPG and its associated listed buildings are important constituents of the character, and to a lesser extent, the appearance of the CA. Harm caused to the significance of the RPG and its associated listed buildings would also have a negative impact on that character and appearance, and thereby the significance of the CA.
9. In the light of specific advice in Planning Practice Guidance³, I find the Council's suggestion that substantial harm would be caused to the significance of these designated heritage assets, as a result of the proposal, hyperbolic. There would be no harmful impact on the archaeological value of the RPG, subject to a suitable condition, and no physical impact on the listed buildings. The CA is wide in its compass and only a relatively small part, that is largely screened from public view, would be affected. In that context, the harm caused to the significance of the affected designated heritage assets would be, very clearly, less than substantial.
10. That said, the workings of s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, read alongside paragraph 193 of the National Planning Policy Framework⁴, mean that any harm caused to the significance of a designated heritage asset must attract great weight. It is fair to say that there is a general presumption against the grant of permission for proposals that would have such harmful impacts.
11. However, paragraph 196 of the Framework sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
12. Clearly the school has issues with the use of the existing playing field, and the new polymeric playing surface would enable much better use of it. However, while bursaries are awarded, and the school looks forward to forging links with state schools to allow pupils of those schools to use the new facilities, most pupils who attend St Catherine's School pay for the privilege. PPG makes plain that public benefits should be of a nature or scale to be of benefit to the public at large, and not just be a private benefit. In that context, I do not accept that the benefit the new playing surface would provide to the school is genuinely public in nature.
13. That said, even if it was treated as a public benefit, it would not be sufficient to outweigh the harm caused to the significance of the designated heritage assets affected; harm that must attract considerable importance and weight in the balancing exercise.
14. As such, the proposal falls contrary to Policies LP3 and LP16 of the London Borough of Richmond Upon Thames Local Plan⁵ of July 2018 that deal with heritage assets and trees respectively, and the provisions of the Framework.

³ Referred to hereafter as PPG

⁴ Referred to hereafter as the Framework

⁵ Referred to hereafter as LP

Other Matters

15. The Council also raised concerns about the impact of the proposal on biodiversity. However, I take the view that the loss of the feeding area provided by the grass and trees could be compensated for, in biodiversity terms, through appropriately worded conditions. In that way, the requirements of LP Policy LP15 could be satisfied. However, that is of little consequence in the light of my conclusions on the main issue identified.
16. Reference has also been made to what it is suggested is a similar proposal permitted by the Council at Radnor House School. I am not party to full details of that proposal, or the decision-making process of the Council in relation to it. In any event, I have to deal with the proposal before me on its own merits and that is the course I have taken.

Conclusion

17. For the reasons given above I conclude that the appeal should be dismissed.

Paul Griffiths

INSPECTOR